

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED

MAR 25 2008

JOHN F. CORCORAN, CLERK
BY: H. McDonald
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United States of America)

v.)

Darrell Daran Smith)

Date of Previous Judgment: November 30, 2001)

(Use Date of Last Amended Judgment if Applicable))

Case No: 4:00CR70085-001

USM No: 16553-058

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 121 months is reduced to 120.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 30

Amended Offense Level: 28

Criminal History Category: III

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Previous Guideline Range: 121 to 151 months

Amended Guideline Range: 120 to 121 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

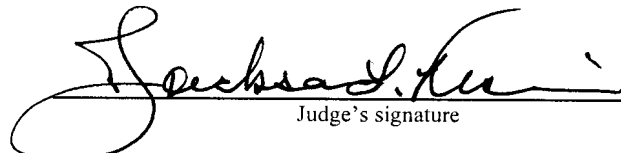
III. ADDITIONAL COMMENTS

120 Months is the statutory minimum sentence for this offense.

Except as provided above, all provisions of the judgment dated Nov. 30, 2001 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3-25-08


Judge's signature

Effective Date: March 3, 2008 4-7-08
(if different from order date)

Senior United States District Judge Jackson L. Kiser
Printed name and title